

**State Special Education Advisory Committee
(SSEAC)
Crowne Plaza Richmond West Hotel
6531 West Broad Street
Richmond, VA 23230
January 11-13, 2006
MINUTES**

Wednesday, January 11, 2006

Executive Subcommittee Dinner Meeting

Thursday, January 12, 2006

Committee Members Present

Mike Behrmann, Charlene Christopher, Susanne Conroy, Emily Dreyfus, Sharon Duncan, Stacie Ellis, Anne Fischer, David Martin, Cindy Mills, Jacqueline Nelson, Rick Richardson, Mary Ann Discenza, Carmen Sanchez, Peter Squire

Committee Members Absent

Heidi Lawyer, Linda Richardson, Leslie Snyder, Tamara Temoney, Michael Wong

Department of Education Staff

Pat Abrams, Shelly Bazemore, Doug Cox, Judy Douglas, John Eisenberg, Judy Hudgins, Marie Ireland, Shelley Loving-Ryder, Phyllis Mondak, Jeff Phenicie, Cathy Pomfrey, Paul Raskopf, Melissa Smith, Brenda Spencer, Art Stewart, Vivian Stith-Williams

Guests

Pierre Ames, Diane Brown, Phyllis Byrd, Denise Callahan, Marsha Goldberg, Linda Moore, Tim Moore, Annette Sannuti, Nileshkumar Trivedi, Adrienne Volenik

Assistant Superintendent's Report

Mr. Doug Cox, Virginia Department of Education

Mr. Cox provided an update on the status of proposed Regulations on "2 percent" Modified Assessments that will allow for greater flexibility in assessing students with disabilities under No Child Left Behind. As proposed, it will mean no more exceptions to the 1 percent rule. Explanation: can have less than 1 percent in the alternate assessment and more than 2 percent in the modified assessment, but it can't be the other way, and cannot exceed the 3 percent. He encouraged the members to review the Federal Register.

Mr. Cox mentioned that the federal peer review commenced in November on the Standards and Assessments policies and procedures. Mr. Cox stated that he will send a copy of the report of this peer review to committee members when it is returned from Washington, D.C.

Other proposed regulations open for public comment regard paperwork reduction and the multiple school year IEP. Criteria will be developed by next year and RFPs for 15 pilot sites will be solicited.

Mr. Cox reminded members that the General Assembly is again in session. A brief discussion of the history of the Virginia Schools for the Deaf and Blind (VSDB) consolidation proposal from last year was discussed.

2005 Annual State Technology Conference

Mr. John Eisenberg, Virginia Department of Education

Mr. Eisenberg talked to members about the 2005 annual state technology conference held in Roanoke the first of December. The conference, co-sponsored by the Virginia Society for Technology in Education (VSTE) and the Virginia Department of Education - Division of Educational Technology, had approximately 3,000 people in attendance including vendors. The conference consisted of various workshops as well as provided a great opportunity to promote assistive technology. Mr. Eisenberg provided a web address for T/TAC on line - <http://ttaonline.org/> where people could go for more information.

Special Education Regulations Process Update

Dr. Judy Douglas, Virginia Department of Education

Ms. Melissa Smith, Virginia Department of Education

Dr. Douglas provided the committee with a summary of three current special education litigations involving VDOE, and mediation activities. Dr. Douglas and Art Stewart have been working with the parent resource centers with a DVD training to increase the use of mediation.

Ms. Smith provided information regarding the process that VDOE will follow for the revision of the state special education regulations. A presentation of the proposed timeline was received and the same timeline will be available online. It was recommended that the presentation be placed on the SSEAC Website as well.

Service Delivery Standards Update

Dr. Pat Abrams, Virginia Department of Education

Dr. Pat Abrams provided an update on the Special Education Service Delivery Task Force activity. Information was reviewed from the effective schools literature and from stakeholders' experiences at two meetings during the fall. The information was synthesized into 13 guiding principles, which were sent to the task force participants for their review and feedback. A report was provided reflecting a tally of the ratings and comments on the draft guiding principles. The guiding principles are intended to be broad statements agreeable to stakeholders that can be used to develop:

- recommendations for requirements (i.e., revision of the Special Education Staffing section in the state regulations),
- recommendations for guidelines that would be more specific than regulations, and
- new models, if needed, for appropriating the state's share of funds and examine their feasibility.

The feedback was used to revise the guiding principles. SSEAC members recommended additional feedback to be incorporated into the revised guiding principles, as well as a recommendation to change to "guiding statements", all of which were noted by the presenter.

State Performance Plan Update

Mr. Paul Raskopf, Virginia Department of Education

Mr. Raskopf reported that the Virginia Department of Education (VDOE) has developed its State Performance Plan (SPP) with input from stakeholders and with the expectation that the SPP will be disseminated to the public. He talked about several indicators and the data that had been analyzed to develop the plan. The VDOE will submit revised language for three indicators, 3, 4 and 19. These were reviewed on the document with particular concern to the two parts of Indicator 4. Mr. Raskopf noted that the annual performance report last year had indicated that students with disabilities were suspended at a higher rate than the general student population, yet the taskforce found that was not the case. Several members of the SSEAC will participate in the stakeholders group.

Issues in data collection include long-term suspensions for Local Educational Agencies (LEAs) with alternative placements, size of the LEAs population, use of 9th grade cohort groups for graduation rates, and disproportionality.

Assessment Update

Ms. Shelley Loving-Ryder, Virginia Department of Education

Ms. Loving-Ryder talked with members about the options available for students with disabilities. She also provided information on pass rates of students with disabilities in English and mathematics.

Title I Programs and Students with Disabilities

Ms. Brenda Spencer, Virginia Department of Education

Ms. Spencer provided an overview of how students with disabilities are included in NCLB. Her PowerPoint presentation will be sent to all committee members.

Public Comment

Ms. Charlene Christopher reminded all participants that there was a revised public comment policy (December 2005).

- A letter was read on behalf of the Speech-Language-Hearing Association of Virginia (SHAV). The letter addressed the utilization of speech-language pathology assistants and voiced concerns regarding their use. It was stated that SHAV and ASHA (American Speech-Language-Hearing Association) are eager to assist in the development of guidelines to regulate the practice of speech language pathology assistants.
- Tim Moore spoke to the committee about his role in a support group formed in September 2005, "A Voice for GAP Kids". The group was formed to assist students with IEPs who are not being allowed to enroll in courses with an end-of-course, Standard of Learning exam.
- Linda Moore talked about her concerns with the proposed revisions to the Standards of Accreditation and how they will affect Gray Area Kids (also known as GAP Kids). She noted that there are no standards for functional diplomas.
- Nileshkumar Trivedi talked to members about concerns regarding the provision of services on his child's IEP and implementation of the IEP.
- Emily Dreyfus read a comment she had received referencing multiple complaints regarding SECEP (Southeastern Cooperative Educational Programs). SECEP functions as a regional public school serving the Hampton Roads Cities of Chesapeake, Franklin, Isle of Wight, Norfolk, Portsmouth, Southampton, Suffolk and Virginia Beach serving over 1800 special education and alternative education students.
- Pierre Ames, with the Parent Education Advocacy Training Center (PEATC), told members that the Hispanic population continues to expand across Virginia. PEATC is working to ensure appropriate coverage for these individuals. PEATC looks forward to continue collaboration with the Virginia Department of Education.
- Adrienne Volenick, Director of the Disability Law Clinic at the University of Richmond, talked about a recent court ruling and resulting implications for due process proceedings. She urged the committee to consider appropriate ways for addressing these issues.
- Emily Dreyfus commented concerning the lack of access to the general education curriculum, the lack of appropriate supports for students with disabilities and the impact these gaps have on student achievement. She stated a need for focused leadership from

the Virginia Department of Education to increase successful access to general education classrooms and to improved achievement of students with disabilities.

- Peter Squire informed members that he, with others, presented at the 2005 Annual Conference and Business Meeting of the National Association of State Directors of Special Education (NASDSE). They centered their presentation on issues involving training and some of the challenges faced by youth with disabilities when transitioning from school. He suggested that youth, after leaving school, be able to return to communities and mentor in the local school systems.

Lunch

Business Session

Approval of Minutes

After a review of the October 2005 minutes, it was suggested that issues brought up in public comment be summarized. Two motions made by Dr. Mike Behrmann were corrected to read:

Dr. Mike Behrmann made a motion that “the SSEAC recommend to ABTEL that the license for teachers of students with disabilities in the general curriculum be divided into two licenses, elementary k6/middle secondary and further include coursework in each license to meet Highly Qualified under NCLB. “

Dr. Mike Behrmann made a motion to “incorporate training and content to meet Highly Qualified under NCLB in the license for teachers of students with disabilities in an adapted curriculum.”

Ms. Carmen Sanchez moved that the October minutes be approved as corrected. Ms. Stacie Ellis seconded and the minutes were approved.

Nominations for Executive Committee

The nominating committee moved the following slate for the 2006-2007 year.

Chairman – Anne Fischer
Vice-Chairman – Mike Behrmann
Secretary – Stacie Ellis
Members at large:
 Peter Squire
 Carmen Sanchez
 Emily Dreyfus

Dr. Rick Richardson moved that “Those individuals appearing before the state SSEAC for public comment will be provided with a handout explaining the purpose established by the

state SSEAC in accepting and responding to those comments presented.” Ms. Emily Dreyfus seconded. The motion carried.

Copies of the Draft *Operational Procedures* and the *Public Comment Guidance Document* were reviewed. Members made comments and suggestions which will be incorporated into the revised documents.

Dr. Mike Behrmann moved that “department of education staff will revise the *Draft Operational Procedures* and the *public comment guidance document* for final approval at the April meeting of the SSEAC in keeping with discussion of both documents.” Dr. Rick Richardson seconded. Ms. Anne Fischer abstained. The motion carried.

Subcommittee Structure and Work

Mrs. Charlene Christopher reviewed the current subcommittee setup. It was noted that the work of one of the four committees has been completed. After some discussion, it was suggested that another ad hoc committee be appointed to study personnel issues related to special education. The four committees would be Data and Reports, Constituency Involvement, Autism and Personnel. Changes to committee assignments were noted.

Public Hearings on Standards of Accreditation (SOA)

Ms. Emily Dreyfus noted that public hearings were scheduled to be held on January 17, 2006 to hear public comment on the proposed *Regulations Establishing Standards for Accrediting Public Schools in Virginia*. Discussion followed regarding changes to the wording of the proposed regulations.

Ms. Emily Dreyfus moved: “the SSEAC recommends that the VDOE reinstate language about not excluding students pursuing modified standard diplomas from taking standard and advanced studies diploma courses or alternatively reinforce the current opening statement for the proposed SOA language.” Mr. Peter Squire seconded the motion.

**Abstentions – 5
Approvals – 3
Opposed – 5
The motion failed.**

Dr. David Martin moved: “the SSEAC supports SOAs that reinforce the Commonwealth’s commitment to provide FAPE to all students and support them to reach the highest level of achievement to which they are capable.” Ms. Mary Ann Discenza seconded the motion.

**Abstentions – 6
Approvals - 8
Opposed – 0
The motion carried.**

Thursday Evening January 12, 2006

Member Orientation

Committee Members Present

Mike Behrmann, Charlene Christopher, Susanne Conroy, Mary Ann Discenza, Emily Dreyfus, Sharon Duncan, Stacie Ellis, Anne Fischer, David Martin, Cindy Mills, Jacqueline Nelson, Carmen Sanchez, Peter Squire

Committee Members Absent

Heidi Lawyer, Linda Richardson, Rick Richardson, Leslie Snyder, Michael Wong

Department of Education Staff

Pat Abrams, Doug Cox

A session was held to acquaint members with their role on the committee. The committee's purpose and operating procedures were also reviewed.

Friday, January 13, 2006

Committee Members Present

Mike Behrmann, Charlene Christopher, Susanne Conroy, Emily Dreyfus, Stacie Ellis, Anne Fischer, Heidi Lawyer, David Martin, Cindy Mills, Jacqueline Nelson, Rick Richardson, Mary Ann Discenza, Carmen Sanchez, Peter Squire

Committee Members Absent

Sharon Duncan, Linda Richardson, Leslie Snyder, Michael Wong

Department of Education Staff

Pat Abrams, Scottie Alley, Wayne Barry, Doug Cox, Mary Dotson, Judy Douglas, Diane Gillam, Judy Hudgins, Phyllis Mondak, Cathy Pomfrey, Melissa Smith, Art Stewart, Karen Trump

Guests

Pierre Ames, Mike Asip, George Batsche, Jacqueline Bullock, Bill East, Marsha Goldberg, Annette Sannuti,

Presention - Response to Intervention

Dr. George Batsche, University of South Florida

Mr. Doug Cox introduced Dr. George Batsche, Professor of Psychological and Social Foundations and Coordinator of Graduate Programs in School Psychology at the University of South Florida. Copies of *Response to Intervention: Policy Considerations and Implementation*, of which he was a contributing author, were distributed to members. The book is available from the National Association of State Directors of Special Education (NASDSE)

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) makes important changes to the federal special education law regarding the identification of students with learning disabilities. Dr. Batsche talked with members about policy and implementation options for Response to Intervention (RtI).

Constituency Reports

Name	Report	Comments
Mike Behrmann	Yes	The Higher Education Constituency is concerned that the requirements related to the Virginia Communication and Literacy Assessment (VCLA) will encourage teachers not to complete state approved programs because they will not have to pay for or take PRAXIS I and internship coursework. Combined with the fact that the state will no longer monitor PRAXIS I results from state approved programs, requiring PRAXIS I for admission to those programs appears to be an undue burden on higher education.
Charlene Christopher	None	
Susanne Conroy	None	
Emily Dreyfus	Yes	She has been hearing from families and service providers who are interested in adding graduation rate standards to the Standards of Accreditation, including specific NCLB sub-population graduation standards.
Sharon Duncan	Absent	
Stacie Ellis	Yes	Issues include: other perks, tax breaks; need more job coaches – have two now, would like one per each of five high schools; transition specialist; recruitment of teachers from Philippines – 13 recruited, nine are special education, have a conditional licensure, experience in special education in their country – language barrier; money spent on recruitment, travel
Anne Fisher	Yes	
Heidi Lawyer David Martin	None None	
Cindy Mills	Yes	<p>Region 2 – A SEAC in the local area has ongoing public comment regarding lack of balance - racial representation on the SEAC. The situation was referred to the school board with no response, referred to NAACP education committee at state level and copy shared with that SEAC.</p> <p>Private Special Education Schools – issues include:</p> <ol style="list-style-type: none"> 1. Teacher licensure – teachers having difficulty passing PRAXIS and moving from conditional licensure to professional licensure 2. Having and keeping qualified special education teachers 3. Working cooperatively with so many LEA's in developing IEP's and 4. coordinating SOL and VAAP testing

Jacqueline Nelson	None
Linda Richardson	Absent
Rick Richardson	None
Mary Ann Discenza	None
Carmen Sanchez	None
Leslie Snyder	Absent
Peter Squire	None
Mike Wong	Absent

Future Meeting and Agenda Discussion

Mr. Doug Cox talked with members about RtI and asked for input from members. He stated he would like for members to participate in looking at what can be done to help schools and educators. Mr. Cox stated this is the beginning of the process and he would like for members to be involved in the process from the beginning.

Ms. Carmen Sanchez made a motion:

“The SSEAC requests that the Virginia Office of Special Education and Student Services (SESS) send public information related to special education students and services to the SSEAC informing them of any changes in wording of regulations, statutes, or standards written by the SESS; any materials presented to the Virginia Board of Education by the SESS; any legislative items originating or supported by the SESS; and any comment letter of support to the U. S. Department of Education sent by the SESS.” Ms. Anne Fischer seconded the motion.

Approved – 5

Opposed – 2

Abstained – 5

The motion carried.

The meeting adjourned.

The executive committee met to discuss future agenda items.